

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNUM LIFE INSURANCE COMPANY OF )  
AMERICA, )

Case No.: 2:16-cv-00053-GMN-VCF

VS. )

## ORDER

VS. )

LINDA ROBLES, as an individual and as co-administrator of the Estate of Rose Mary Dominguez; ANNIE CARBAJAL, as an individual and as co-administrator of the Estate of Rose Mary Dominguez; and ESTHER NEGRETE, as the purported legal guardian of minor Shawna "Mary" Dominguez,

Defendants.)

Pending before the Court is the Report and Recommendation (“R&R”) of United States Magistrate Judge Cam Ferenbach, (ECF No. 25), which states that, not later than 30 days after the R&R is adopted, Unum Life Insurance Company of America (“Unum”) must deposit with the Clerk of the Court \$385,000.00, plus applicable interest accruing from the date of the Decedent’s Death, December 26, 2014, through May 20, 2016, less \$2,000.00 reasonable attorney’s fees. The R&R further recommends that upon deposit of these funds, Unum will be discharged from any and all liability as to the death benefits that are the subject matter of this interpleader action and will be dismissed from this case with prejudice. Lastly, the R&R recommends that upon deposit of these funds, defendants, their attorneys, agents and other persons who are in active concert or participation with them will be enjoined from commencing or prosecuting any action against Unum regarding the death benefits that are the subject matter of this interpleader action, in any federal or state court.

1       A party may file specific written objections to the findings and recommendations of a  
2 United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B);  
3 D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a de novo  
4 determination of those portions to which objections are made. *Id.* The Court may accept, reject,  
5 or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge.  
6 28 U.S.C. § 636(b)(1); D. Nev. IB 3-2(b). Where a party fails to object, however, the Court is  
7 not required to conduct “any review at all . . . of any issue that is not the subject of an  
8 objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized  
9 that a district court is not required to review a magistrate judge’s report and recommendation  
10 where no objections have been filed. *See, e.g., United States v. Reyna-Tapia*, 328 F.3d 1114,  
11 1122 (9th Cir. 2003).

12       Here, no objections were filed, and the deadline to do so has passed.

13       Accordingly,

14       **IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF No. 25), is  
15 **ACCEPTED and ADOPTED in full.**

16       **IT IS FURTHER ORDERED** that, not later than 30 days after the filing of this Order,  
17 Unum must deposit with the Clerk of the Court \$385,000.00, plus applicable interest accruing  
18 from the date of the Decedent’s Death, December 26, 2014, through May 20, 2016, less  
19 \$2,000.00 reasonable attorney’s fees.

20       **IT IS FURTHER ORDERED** that upon the deposit of these funds, Unum will be  
21 discharged from any and all liability as to the death benefits that are the subject matter of this  
22 interpleader action and will be dismissed from this case with prejudice.

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**IT IS FURTHER ORDERED** that upon the deposit of these funds, defendants, their attorneys, agents, and other persons who are in active concert or participation with them will be enjoined from commencing or prosecuting any action against Unum regarding the death benefits that are the subject matter of this interpleader action, in any federal or state court.

**DATED** this 17 day of August, 2016.

Gloria M. Navarro, Chief Judge  
United States District Court